



## County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION  
LOS ANGELES, CALIFORNIA 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

April 15, 2008

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC HEALTH: APPROVAL OF A GRANT AGREEMENT  
FROM THE VITAMIN CASES CONSUMER SETTLEMENT FUND FOR  
A SOCIAL MARKETING CAMPAIGN PROJECT  
AND AN APPROPRIATION ADJUSTMENT  
(ALL SUPERVISORIAL DISTRICTS)  
(4 VOTES)**

**SUBJECT**

This action seeks to receive approval to accept a Grant Agreement with the Settlement Funds Administrator of the Vitamin Cases Consumer Settlement Fund (VCCSF), to support a Youth Activism Against Obesity (YAAO) Project within Community Health Services (CHS) Service Planning Area (SPA) 3 and 6.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve and authorize the Director of the Department of Public Health (DPH), or his designee, to accept and execute a Grant Agreement with the Settlement Funds Administrator of the VCCSF (Exhibit I), to support a social marketing campaign within DPH's CHS SPAs 3 and 6, effective date of Board approval through April 15, 2010, in the amount of \$613,261.
2. Approve the Request for Appropriation Adjustment (Exhibit II) in the amount of \$137,000 for Fiscal Year (FY) 2007-08. The Appropriation Adjustment will increase DPH's budgeted services and supplies (S&S) appropriation and is fully funded by VCCSF. This will support the YAAO Project.

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the above action allows DPH to accept the VCCSF Grant Agreement for CHS SPAs 3 and 6 to develop and conduct the YAAO Project, an innovative two-year social marketing initiative targeted to youth.

The goal of the YAAO social marketing campaign will be to increase middle and high school students' awareness of the health risks associated with consuming fast food and soda. The campaign will promote healthy eating, point out the perils of eating fast food and drinking soda and urge youth to advocate for healthy food policies at school, in their home environment and in their communities. DPH will also train 40 youth leaders to serve as spokespersons for good nutrition and physical activity.

The project utilizes an ongoing partnership through the Healthy Eating Active Communities (HEAC) Initiative, between Public Health and two community-based childhood obesity prevention projects, "The Childhood Obesity Brain Trust" in South Los Angeles and "People on the Move" in Baldwin Park.

DPH will work with youth from these two projects and a public relations firm with expertise in youth culture and community-based initiatives to develop and implement the campaign. The campaign will utilize youth-centered online social networks, podcasts (audio files) and webcasts (video files), websites, radio stations, magazines and other methods of reaching middle and high school students in SPAs 3 and 6.

### **FISCAL IMPACT/FINANCING**

Under this grant award DPH will receive a total of \$613,261 from VCCSF and the term of the grant will become effective upon date of Board approval through April 14, 2010 (24 months).

The FY 2007-08 Appropriation Adjustment in the amount of \$137,000 will increase DPH's budgeted S&S appropriation and will be used to support the YAAO Project.

The remaining \$476,261 in grant funds will be requested in the FY 2008-09 and FY 2009-10 budget processes, as necessary.

There is no net County cost associated with this action.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On September 29, 2006, a Letter of Inquiry (LOI) was submitted by DPH's Nutrition Program to the Vitamin Cases Consumer Settlement Fund. The LOI was accepted and submission of an Application for Funding was invited.

On November 3, 2006, DPH submitted an application for funding. Based on the strength of DPH's proposal, a site visit was conducted on January 31, 2007 in collaboration with both of the HEAC Initiative partners (City of Baldwin Park-SPA 3 and South Los Angeles-SPA 6).

Honorable Board of Supervisors  
April 15, 2008  
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On January 8, 2008, the VCCSF Administrator informed DPH that the Plaintiff's Co-Liaison Counsel and the Attorney General were recommending that the Court approve a grant from VCCSF to DPH in the amount of \$613,261.

On January 16, 2008 the Court approved the request to approve a grant to DPH from VCCSF.

County Counsel has approved Exhibit I as to form. Exhibit II is the Appropriation Adjustment.

Attachment A is the Grant Management Statement for grants exceeding \$100,000.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended action will allow DPH to develop the YAAO Project, a two-year social marketing initiative targeted to youth. The YAAO Project is intended to increase the awareness of middle and high school students about the importance of healthy eating, decrease their consumption of fast food and soda, and increase students' involvement in food policy advocacy in the City of Baldwin Park and South Los Angeles.

**CONCLUSION**

When approved, DPH requires four signed copies of your Board's action.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:SRH:SAS  
MLM:RFM:bjs

Attachments (3)

c: County Counsel  
Director and Health Officer, Department of Public Health

041508\_DPH\_Vitamin

Los Angeles County Chief Executive Office  
Grant Management Statement for Grants Exceeding \$100,000

Department: Public Health Community Health Services

Grant Project Title and Description  
Youth Activisim Against Obesity

Funding Agency	Program (Fed. Grant #State Bill or Code #)	Grant Acceptance Deadline
Vitamin Cases Consumer Settlement Fund	Court Settlement Fund	

Total Amount of Grant Funding: \$613,261

County Match Requirements:

Grant Period: 04/15/08 - 04/15/10

Begin Date: 04/15/08

End Date: 04/15/10

Number of Personnel Hired Under this Grant:

Full Time 0

Part Time 0

Obligations Imposed on the County When the Grant Expires

Will all personnel hired for this program be informed this is a grant funded program? Yes ☒ No ☐

Will all personnel hired for this program be placed on temporary "N" items? Yes ☒ No ☐

Is the County obligated to continue this program after the grant expires Yes ☐ No ☒

If the County is not obligated to continue this program after the grant expires, the Department will:

a). Absorb the program cost without reducing other services Yes ☐ No ☒

b). Identify other revenue sources Yes ☐ No ☒

(Describe)

c). Eliminate or reduce, as appropriate, positions/program costs funded by this grant Yes ☒ No ☐

Impact of additional personnel on existing space: None

Other requirements not mentioned above: None

Department Head  
Signature

Date 3-31-08

## EXHIBIT I

### Grant Agreement

**Grantee:** Los Angeles County Department of Public Health

**Amount:** \$613,261

**Purpose:** To conduct a social marketing campaign to increase the awareness of middle and high school students about the importance of healthy eating, decreasing their consumption of fast food and soda and increasing their involvement in food policy advocacy in Baldwin Park and South Los Angeles.

**Duration:** 24 months commencing upon execution of this agreement.

**Source of Funds:** Vitamin Cases Consumer Settlement Fund (Judicial Council Coordination Proceeding No. 4076 Master File No. 301803 (San Francisco County) Distribution Approved on January 16, 2008.

#### 1. Use of Grant Funds.

Los Angeles County Department of Public Health (Grantee) will use grant funds to develop and conduct a social marketing campaign to increase the awareness of middle and high school students about the importance of healthy eating, decreasing their consumption of fast food and soda and increasing their involvement in food policy advocacy in Baldwin Park and South Los Angeles.

The campaign's goals will be to increase students' awareness about the health risks of consuming fast food and soda and the importance of healthy eating, decrease their consumption of fast food and soda and increase their involvement in food policy advocacy. The campaign will promote healthy eating, point out the perils of eating fast food and drinking soda and urge youth to advocate for healthy food policies at school in their home environment and in their communities.

Grantee will work with a public relations firm conversant in youth culture and community-based initiatives to develop and implement the campaign. The campaign will utilize youth-centered online social networks, podcasts (audio files) and webcasts (videofiles), websites, radio stations, magazines and other methods of reaching middle and high school students in Baldwin Park and South Los Angeles. Grantee will train 40 youth leaders (20 in each community) who will serve as spokespersons for good nutrition and physical activity.

Grantee will document and evaluate the effectiveness of its campaign as specified in the updated timeline and budget.

Grant funds must be used substantially in accordance with the updated budget and timeline submitted by Grantee attached (Attachment I: Budget, Attachment II: Timeline) and no substantial changes in the budget, timeline or the grant period may be made without prior written approval from the Cy Pres Fund Administrator. In no event shall indirect expenses exceed 6% of the amount awarded. Any funds not used for the purposes described above will revert to the Vitamin Cases Consumer Settlement Fund to be distributed in accordance with terms of the settlement agreement and court orders establishing the fund.

Grant funds will not be used to supplant or replace federal, state, local or other governmental funding for any program, purchase or activity and Grantee's budget will not be reduced to compensate for the award of this grant.

## **2. Payment of Grant Funds.**

The grant funds will be paid to Grantee as follows:

- 1<sup>st</sup> Installment (\$137,983.73): within 30 days of execution of this agreement.
- 2<sup>nd</sup> Installment (\$137,983.73): within 21 days of receipt of a satisfactory 1<sup>st</sup> Project and Expenditure Report.
- 3<sup>rd</sup> Installment (\$137,983.73): within 21 days of receipt of a satisfactory 2<sup>nd</sup> Project and Expenditure Report.
- 4<sup>th</sup> Installment (\$137,983.73): within 21 days of receipt of a satisfactory 3<sup>rd</sup> Project and Expenditure Report.
- Final Installment (\$61,326.08): within 21 days of receipt of a satisfactory Final Project and Expenditure Report.

The Cy Pres Fund Administrator will mail the installment checks to Grantee at the following address:

Department of Public Health  
5555 Ferguson Dr., Room 100-50  
City of Commerce, CA 90022

Attention: Leticia Moisa  
Public Health Finance

Grantee will promptly notify the Cy Pres Fund Administrator in writing of any change in this address.

Grantee's Federal Employer Identification Number is: 95-6000-92W.

### **3. Grantee Reports.**

Grantee will submit written reports on the use of grant funds, compliance with terms of the grant and progress made towards achieving the goals of the grant as follows:

- 1<sup>st</sup> Project and Expenditure Report: 7 months following execution of this agreement (covering project activities and expenditures from grant funds during months 1 through 6 of the project).
- 2<sup>nd</sup> Project and Expenditure Report: 13 months following execution of this agreement (covering project activities and expenditures from grant funds during months 7 through 12 of the project).
- 3<sup>rd</sup> Project and Expenditure Report: 19 months following execution of this agreement (covering project activities and expenditures from grant funds during months 13 through 18 of the project).
- Final Project and Expenditure Report: 25 months following execution of this agreement (covering project activities and expenditures during months 19 through 24 of the project).

All reports will be mailed to:

Harry M. Snyder  
Vitamin Cases Consumer Settlement Fund  
Cy Pres Fund Administrator  
The Presidio  
P.O. Box 29289  
San Francisco, CA 94129

An electronic copy of each report shall also be sent to: [hmsnyder@sbcglobal.net](mailto:hmsnyder@sbcglobal.net).  
Grantee will respond promptly to inquiries and provide additional information if requested by the Cy Pres Fund Administrator.

### **4. Records.**

Grantee will segregate funds from the Vitamin Cases Consumer Settlement Fund in a separate bank account and maintain its books and records in such a manner that the receipts and expenditures of grant funds received for this project will be shown separately

on such books and records in an easily checked form. Grantee will keep such records as well as copies of all reports to the Cy Pres Fund Administrator and supporting documentation for at least four (4) years after the completion of the use of grant funds and will make such books, records, reports and supporting documentation available to the Cy Pres Fund Administrator or his designee for inspection upon request. The name and contact information of the person responsible for maintaining Grantee's books and records and preparing Grantee's Expenditure Reports are:

Leticia Moisa, Director of Finance  
Department of Public Health  
5555 Ferguson Dr., Room 100-50  
City of Commerce, CA 90022  
(323) 890-7865  
[lmoisa@ph.lacounty.gov](mailto:lmoisa@ph.lacounty.gov)

#### **5. Acknowledgement of Support.**

Materials produced with grant funds and annual reports, announcements, news releases, etc. describing the project will acknowledge that "The project was made possible by a grant from the Vitamin Cases Consumer Settlement Fund. Created as a result of an antitrust class action, one of the purposes of the Fund is to improve the health and nutrition of California consumers."

#### **6. Violation and Termination.**

In the event of any violation by Grantee of the terms and conditions of the grant, including but not limited to executing the work of the grant in compliance with Grantee's proposal or failing to submit required reports or requested information in a timely manner, the Cy Pres Fund Administrator reserves the right in its absolute discretion to suspend payments to Grantee or terminate the grant. The Cy Pres Fund Administrator's determination will be final and will be binding and conclusive on Grantee. In addition to any other remedies available to the Cy Pres Fund Administrator, upon termination of this grant, Grantee will repay to the Vitamin Cases Consumer Settlement Fund any portion of the grant funds that have not been spent for the project.

#### **7. Future Funding.**

Grantee acknowledges that the Cy Pres Fund Administrator and his representatives have made no actual or implied promise of funding except for the amounts specified by this agreement. If any of the grant funds are returned or if the grant is rescinded, Grantee acknowledges that the Cy Pres Fund Administrator will have no further obligation to you in connection with this grant as a result of such return or rescission.



### **8. Modification.**

This agreement sets forth all terms of the grant and replaces all prior understandings and agreements. Any modification or amendment will be made only in writing signed by an authorized officer of Grantee and the Cy Pres Fund Administrator.

### **9. Applicable Law.**

This agreement will be construed in accordance with the laws of the State of California.

### **10. Effective Date.**

The effective date of this agreement will be the date when it is executed by the second of the parties to do so.

Vitamin Cases Consumer Settlement Fund  
Cy Pres Fund Administrator

Signature: \_\_\_\_\_  
Harry M. Snyder

Date: \_\_\_\_\_

Accepted by:

\_\_\_\_\_  
Jonathan E. Fielding, M.D., M.P.H.  
Director and Health Officer  
313 N. Figueroa St., Room 806  
Los Angeles, CA 90012  
213.240.8117

Date: \_\_\_\_\_

## COUNTY OF LOS ANGELES

DEPT'S. NO. 295

## REQUEST FOR APPROPRIATION ADJUSTMENT

## DEPARTMENT OF PUBLIC HEALTH

## AUDITOR-CONTROLLER.

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

## ADJUSTMENT REQUESTED AND REASONS THEREFOR

FISCAL YEAR 2007/08

4-VOTE

SOURCES:USES:

Department of Public Health  
A01 - PH - 91 - 906A - 23450

Local Grants - Other \$ 137,000  
Increase Revenue

Total \$ 137,000

Department of Public Health  
A01 - PH - 2000 - 23450

Services & Supplies 137,000  
Increase Appropriation

Total \$ 137,000

JUSTIFICATION

This appropriation adjustment is requested to provide spending authority for a Social Marketing Campaign Project to promote healthy eating and advocate healthy food policies at school, home environment and in their communities. Funding is provided by the Vitamin Cases Consumer Settlement Fund which commences upon Board approval through April 8, 2010. There is no Net County Cost.

**ADOPTED**  
BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

*Nanette Herrera*  
Nanette Herrera  
Division Chief, Controller's Division

CHIEF ADMINISTRATIVE OFFICER'S REPORT

30

APR 15 2008

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

REFERRED TO THE CHIEF  
ADMINISTRATIVE OFFICER FOR

ACTION

✓  
RECOMMENDATION

AUDITOR-CONTROLLER

BY

NO.

191

BY

March 31

20 08

APPROVED AS REQUESTED

AS REVISED

April 2 20 08

*[Signature]*  
CHIEF ADMINISTRATIVE OFFICER

APPROVED (AS REVISED):  
BOARD OF SUPERVISORS

20

BY

DEPUTY COUNTY CLERK

30 of APR 15 2008